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Atari Online News, Etc.  
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->From the Editor's Keyboard  
"~~~~~"

"Saying it like it is!"

The weeks are getting longer, it seems, and the days are getting shorter and shorter. Already I miss the ability to sit outside on the deck after dinner and relax while the warm sun is still up. It's been cooler this past week and I'm just starting to adjust! In all likelihood, I'll be out in the yard cleaning up more leaves for the fourth time this fall. I've probably cleared up less than half of the total amount of leaves that will fall into my yard. In our area, we have to dispose of our leaves by placing them into these large paper recyclable bags. So far I've put out 30 bags for pick-up; and the yard looks like I haven't done a thing yet! Boy am I glad that I invested in that yard vacuum/mulcher! And Joe is sittin' back thinking... SUCKER! <vbg>

So, how about that Microsoft settlement?! Did the Feds cop out, or what? I am surprised that there are still some states that are going to attempt to continue with the battle without the Feds. I honestly don't think that the states have the staying power to get results, but we'll see.

Can you believe that Thanksgiving is here in two weeks?! And then Christmas right around that corner? Wow! I don't even know what we're doing this year!

Until next time...

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PEOPLE ARE TALKING  
compiled by Joe Mirando  
joe@atarinews.org

Hidi ho friends and neighbors. Unfortunately there is no column this week.

My UseNet server has been down all day, and it looks to me like both of my ISPs use the same NewsServer service. That's right, both of them are down. I never would have thought that they were using the same service,

but I've tried everything I can think of... Re-configuring my news reader, different newsreaders, different operating systems (Linux, Windows, TOS), different connections (ADSL, Dial-Up), and nothing has made a difference.

So without all the STuff I normally put into this column, all we're really left with is my ranting and raving.

I don't know about you, but I really don't feel like dealing with one of my little blurbs this week! <grin>

With all that's going on these days, I'm sure that we can all find things to think about.

So take a little break until next week and keep listening to what they are saying when...

PEOPLE ARE TALKING

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->A-ONE's Game Console Industry News    -   The Latest Gaming News!
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Disney/Pixar's Monsters, Inc., This  
Fall's Hilarious Feature Film, Comes to  
Life on the PlayStation Game Console

Sony Computer Entertainment America Inc., Disney Interactive and Pixar Animation Studios announced the spine-tingling release of Disney/Pixar's Monsters, Inc. for the PS one and PlayStation game consoles. Disney/Pixar's Monsters Inc. for PS one adds a rewarding and exciting adventure to the PlayStation software library this holiday season. Featuring a clever story and entertaining characters, this diverse action-platformer showcases colorful environments, brilliant graphics, exploration, puzzles, comically scary activities and challenging gameplay with 15 monstrous zones.

Disney/Pixar's Monsters, Inc. for PS one is a 3D action-platform game based on the November 2 animated feature film release, Disney/Pixar's Monsters, Inc. From the Academy Award-winning creators of "Toy Story" comes this hilarious new computer-animated feature that opens the door to a world of monsters and mayhem and scares up lots of laughs in the process.

Designed for gamers and animation fans of all ages, the videogame allows players to navigate as either James P. Sullivan -- a.k.a. Sulley -- a huge, intimidating monster with blue fur, large purple spots and horns, or Mike, a green, opinionated, feisty little one-eyed monster.

"We are delighted to bring Disney/Pixar's Monsters Inc. to the PS one and PlayStation game console," said Ami Blaire, director, product marketing, Sony Computer Entertainment America. "By bringing such an imaginative and animated storyline to PlayStation, we are continuing to demonstrate our commitment to our platforms, while further strengthening PlayStation's position as a viable entertainment choice for the entire family. Featuring the characters of Disney/Pixar's Monsters, Inc., exciting gameplay and vibrantly designed graphics, we expect this to appeal to action-platform gamers and Disney fans alike this holiday season."

Serving as a prequel to the upcoming film, Disney/Pixar's Monsters, Inc. for PS one allows gamers to play as either Sulley or Mike. Children around the world have always known that once their parents tuck them into bed and turn off the lights, there are monsters that lie waiting behind the closet door, ready to emerge. But what they don't realize is that these monsters scare children because they have to -- it's their job. All of the true masters learned the tricks of the trade at the same place -- the Monsters, Inc. Academy. The game immerses players in huge colorful environments where they train to become top Scarers at Monsters, Inc. Here, the elite Scarers are separated from the "wanna-bes." Players undertake their training across the desert, on snow-capped mountains, city streets and the environs of the Monsters, Inc. Academy. If they have what it takes to rise to the top of the scare chain, they might even unlock all 36 of the scares that Sulley and Mike can perform in the game.

#### Key features in Disney/Pixar's Monsters Inc.:

- Disney/Pixar's Monsters, Inc. comes to life on the PS one console.
- More than 15 monstrous zones! Each level remains faithful to the vibrant film environments and is filled with action-platform elements, tons of exploration, puzzles and comically scary activities.
- Experience a variety of cool moves, as players run, bounce, belly flop, cannonball-roll and tail-spin their way past dozens of different enemy characters.
- Perform up to 36 scares as Mike or Sulley, with 18 unique scare animations for each character.
- Complete a series of exercises designed to hone players' scaring abilities, sharpen their scaring tactics and improve their improvisational skills in order to deal with the unpredictable nature of the real world.
- Assume the role of either Sulley or Mike as you make your way through a series of fur-raising levels. Navigate through a number of obstacles and challenges in an attempt to locate and scare small creatures known as Nerves, robotic children designed by the monsters to test each Scarer's abilities, and fill the Scare Canisters.

The independent Entertainment Software Rating Board (ESRB) rates Disney/Pixar's Monsters Inc "E" for Everyone.

Sega's "Super Monkey Ball" Rolls to Top  
of Retailer Wish List as Buzz Builds for  
Nintendo GameCube Launch

Sega of America announced that major retailers nationwide are placing their bets on Sega's highly anticipated "'Super Monkey Ball" for the Nintendo GameCube. Top retailer Toys "'R" Us recently doubled its orders for the game, citing buzz factor as impetus, and electronics retail giant Electronics Boutique predicts the game will be widely successful based on pre-sale efforts. Marking Sega's official foray into third party publishing as its first game for a next-generation console system, "Super Monkey Ball" offers puzzle/party action like nothing gamers have seen before. Dubbed "'one of the highlights of the (Nintendo GameCube) system's launch" by top videogame publication Electronic Gaming Monthly and awarded five out of five stars by Nintendo Power magazine, "'Super Monkey Ball" promises to roll off shelves next week. EGM raves, "'Super Monkey Ball' may just be the best party game ever made."

"'The launch of 'Super Monkey Ball' signifies a new beginning for Sega and demonstrates the quality content that Sega brings to the table as a third party publisher," said Chris Gilbert, executive vice president of sales, marketing and operations, Sega of America. "'Perfect for Nintendo GameCube's demographic, we expect 'Super Monkey Ball' to be a top-selling entertainment title for us this year."

"'Based on the very strong pre-sale response we received for 'Super Monkey Ball,' we anticipate the game to be one of the top five titles for the Nintendo GameCube system," said Pete Roithmayr, vice president of merchandising for the videogame division, Electronics Boutique.

In "'Super Monkey Ball," gamers can choose to play as one of four adorable monkeys: Aiai, Meemee, Baby or Gongon, in Main-Game, Party-Game and Mini-Game modes. The Main Game features 10 beginner, 30 advanced and 50 expert levels, challenging players to collect play points while racing through outrageous terrains in an effort to reach the goal without falling off the edge. Play points come in handy as they help players unlock hidden Mini-Games including Monkey Billiards, Monkey Bowling and Monkey Golf. Gamers can also try their hands at one of three exciting Party Games.

"'Super Monkey Ball" for the Nintendo GameCube is rated "'E" for "'Everyone" and will be in retail stores nationwide November 6, 2001 for a suggested retail price of \$49.95.

Midway Sports Delivers Its  
Adrenaline-Style Hockey Videogame -- NHL  
Hitz 20-02 -- as Launch Title for Xbox  
Videogame System From Microsoft

Midway Sports announced that NHL Hitz 20-02 is shipping for the Xbox videogame system from Microsoft. NHL Hitz 20-02 shipped for the PlayStation2 computer entertainment system on September 25 and is scheduled to ship on November 13 for the Nintendo GameCube.

"'We are honored to have the only hockey videogame available for the Xbox videogame system at launch," said Helene Sheeler, vice president of marketing, Midway. "'NHL Hitz 20-02 has changed the hockey videogame category, with its delivery of the most intense and exciting aspects of hockey every time you play."

Developed by the accomplished hockey development team Black Box Games, Ltd., NHL Hitz 20-02 is the only videogame with larger-than-life, adrenaline hockey, big hits, rocket goals and exciting gameplay. Officially licensed by the NHL and the NHLPA with real NHL teams and athletes, NHL Hitz 20-02 features 3-on-3 (plus goalies), lightning-fast gameplay, play-by-play commentary and a never-before-seen interactive 3D crowd. The crowd will do the wave, react to the action and increase and decrease in size between periods depending on the importance of the game and the score. Gamers will definitely feel the burn of a 125MPH slap shot as the frenzied fans heckle them from the bleachers.

NHL Hitz 20-02 also features an in-game jukebox, with some of today's hottest songs and bands including chart-toppers ''Rollin'' by Limp Bizkit and ''Make Me Bad'' by Korn. The jukebox allows gamers to choose from and listen to popular, pulse-pounding tunes while playing the game.

To add even more NHL realism, New Jersey Devils' defenseman and 2001 NHL All-Star Scott Stevens signed an exclusive deal with Midway to be the signature athlete for NHL Hitz 20-02. The MVP of the 2000 Stanley Cup Playoffs appears on the package cover and in NHL Hitz 20-02 advertising materials.

''It is impressive to see what Midway can do to the hockey experience,'' said Stevens. ''NHL Hitz 20-02 offers gameplay that hockey athletes will enjoy, not just fans and videogamers.''

Mini games with skills competitions help players hone their skills before games, while multiplayer hockey allows one to four gamers to face off against one another. Gamers can also create the ultimate ice warrior with the Create-A-Player feature.

#### NHL Hitz 20-02 Xbox Features

- \* Adrenaline-Style, Over-the-Top Gameplay -- Players leap, glide, check, pass and score on would-be defenders
- \* Outrageous, Over-the-Top Animations -- Watch out for the blistering ''on fire'' puck
- \* NHL and NHLPA Licensed Product -- Play your favorite NHL teams and players
- \* Classic Midway Sports On-Fire Mode -- Players and teams catch fire and become almost unstoppable
- \* Fully 3D Modeled Crowd -- First interactive 3D crowd in any sports videogame
- \* Thirty Arenas -- Players choose from a variety of arenas
- \* Fantasy Stadiums, Hidden Teams and Players -- Secret arenas presented in a unique fantasy setting, as well as hidden teams and special players to unlock along the way
- \* Big Players -- Huge player models with real player faces and expressions
- \* Mini-Games -- Including skill competitions
- \* Create-A-Player -- Allows players to design their ultimate ice warrior
- \* High Powered Play-by-Play -- Commentary to describe all of the outrageous action
- \* Big Hits -- Aggressive hits that can break the glass
- \* Different Player Skill Sets -- Real player stats, abilities and attributes
- \* Multiplayer Hockey -- One to 4 players
- \* In-Game Jukebox -- Allows gamers to hear the following songs while playing:

For Xbox and Nintendo GameCube

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-- Limp Bizkit -- "Rollin'"  
-- Korn -- "Make Me Bad"  
-- Staind -- "Mudshovel"  
-- Fuel -- "Scar"  
-- Good Charlotte -- "Festival Song"  
-- 6 Gig -- "Hit the Ground"  
-- Errortype 11 -- "Better Than the Superbowl"  
-- Lifer -- "Parade"

For the PlayStation 2

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-- Limp Bizkit -- "Rollin'"  
-- Korn -- "Make Me Bad"  
-- Fuel -- "Scar"

## FIFA Soccer 2002: Major League Soccer

The road to the 2002 FIFA World Cup has never felt so good with FIFA Soccer 2002: Major League Soccer by EA. The latest iteration of the world-renowned FIFA series is on store shelves for the PlayStation 2 computer entertainment system, the PC and the PlayStation, and is expected to ship for the Nintendo GameCube later this month.

The legendary franchise is looking to continue its dominance as the number one selling interactive soccer game worldwide.

"We're dedicated to developing the world's best interactive soccer game available," said Executive Producer Marc Aubanel. "With a new game engine, re-invented gameplay, new single-player features, and the chance to qualify for 2002 FIFA World Cup, we're confident that soccer fans will find FIFA Soccer 2002: MLS to be just that."

The EA SPORTS FIFA franchise, known for its top-of-the-line graphics, cutting edge technology, and user-customization added even more options to FIFA Soccer 2002. The highly innovative new passing system incorporates an open-ended and flexible passing model so that gamers can now pass the ball into open space, utilize through-balls and one-twos. Additionally, 2002 FIFA World Cup Qualification mode allows players to take their own journey to Korea / Japan 2002 from the player's vantage point, offering unparalleled, intense competition with stunning graphics and player models.

With more than 50 National teams and over 15 different leagues including Major League Soccer, new licenses such as the Belgian and Swiss Leagues, Brazilian, Israeli and Dutch Clubs (Ajax, PSV and Feyenoord) and 14 Rest of World Clubs, FIFA Soccer 2002 offers the broadest selection of teams and leagues than any other interactive soccer game for the ultimate global line-up. EA owns exclusive rights to France's LNF, in addition to Swedish, Norwegian, and Korean leagues, the elite FA Premier League in the UK, and Bundesliga in Germany.

The FIFA series continues its tradition hip soundtracks, incorporating music from top artists to enhance the entertainment value of the game. This year's release incorporates music by Gorillaz, the cartoon band formed by Blur's Damon Albarn, that is currently up for six MTV Europe awards including Best Group, and has been in the top 50 of Billboard's Top 200 for 39 weeks. Ministry of Sound, the world's largest producer of dance music including house, garage, trance, chillout and commercial is also providing ten tracks for FIFA Soccer 2002.

Arsenal striker and global soccer star Thierry Henry is featured on

packaging and in marketing materials for both North America and UK. Intelligent commentary provided by legendary announcer John Motson and soccer legend Andy Gray.

Developed by EA Canada, FIFA Soccer 2002 carries an ESRB rating of ``E" for Everyone and a MSRP of US\$49.99 for the PlayStation, and US\$59.99 for the PlayStation 2.

Derek Jeter and 'All-Star Baseball 2002'  
Slide Home for Xmas as Acclaim Ships Debut  
Title for Nintendo GameCube This Week

Sliding home safely to score with gamers this holiday season, Acclaim Sports announced that it will begin shipping its debut title for the Nintendo GameCube, All-Star Baseball 2002, later this week. Featuring four-time World Series Champion and 2000 All-Star Game MVP shortstop Derek Jeter, All-Star Baseball 2002 will be the only baseball video game available during the launch of the eagerly anticipated next-generation system. Acclaim's supporting marketing campaign will prominently feature Jeter, and include national television and print advertising, as well as online advertising on [www.bigleaguers.com](http://www.bigleaguers.com), the official site of the Major League Baseball Players Association.

``We are thrilled to support the launch of Nintendo GameCube with one of our premier franchises, which is sure to be a hit among gamers this holiday season," said Steve Felsen, Senior Director of Brand. ``All-Star Baseball 2002 combines next-generation technology with the power of major league baseball, delivering an unparalleled gaming experience."

Developed by Acclaim Studios Austin under license from Major League Baseball Properties and the Major League Baseball Players Association, All-Star Baseball 2002 has been praised by the media for its breakthrough graphics and gameplay. The franchise is highly regarded in the video game industry as the top baseball series. Earlier this year, the PlayStation2 computer entertainment system version was selected as ``Baseball Game of the Year" by readers of GamePro magazine and honored with ``Editors' Choice Awards" from Electronic Gaming Monthly and IGN.com.

All-Star Baseball 2002 for Nintendo GameCube will offer many exciting features, including:

- \* All 30 Major League teams and over 700 players with life-like face textures;
- \* Cooperstown Hall Of Fame team including Reggie Jackson, Mike Schmidt and Nolan Ryan;
- \* Play by Play and game analysis from Arizona Diamondback's Manager Bob Brenly, and his former national television partner, Thom Brennaman;
- \* Classic uniforms for each club like the '62 Mets;
- \* All 30 MLB stadiums with active dugouts and bullpens, real time scoreboards and jumbotron, with stadium features like the waterfalls at Kauffman Stadium in K.C.;
- \* Two new exclusive stadiums -- Puerto Rico and All-Star Safeco Field;
- \* 130 unique player batting stances, 50 pitching deliveries, and over 1,500 motion captured animations;
- \* Future throw technology allows players to make incredible super-smooth catches and throws like never before;
- \* Innovative 3D batting interface and power/contact swing selection;



- \* User control over check swings;
- \* Never-before-seen broken bats;
- \* Season awards like the MVP, Cy Young, Rookie Of The Year, and Gold Glove;
- \* General Manager mode lets you trade, sign free agents and draft players;
- \* Seven authentic stadium camera angles for television broadcast views;
- \* Game modes include Exhibition, Season, World Series, Home Run Derby and Batting Practice;
- \* Updated graphics for many new stadiums, including PNC Park, Miller Park and Oakland Coliseum.

All-Star Baseball 2002 will be available for Nintendo GameCube at a suggested retail price of \$49.99. In addition, Acclaim will release four other Nintendo GameCube titles throughout this holiday season, including Dave Mirra Freestyle BMX 2, Crazy Taxi, XG3 Extreme G Racing and NFL QB Club 2002.

### 3DO Ships CUBIX - Robots for Everyone: Race 'n Robots For the PlayStation

The 3DO Company announced that the CUBIX - Robots For Everyone: Race 'n Robots game for the PlayStation game console has shipped to retail outlets throughout North America. Based on CUBIX - Robots For Everyone, the hot new 3D CGI-animated series on Kids' WB!, Race 'n Robots will be the first in a series of games based on this new property that will supply high-octane action and adrenaline-packed fun for the entire family.

CUBIX, from 4Kids Entertainment, premiered Saturday, August 11 and has earned top ratings with Kids 2-11, Kids 6-11, Boys 2-11 and Boys 6-11 in its time period against broadcast competition. The series airs immediately following Pokemon, also from 4Kids Entertainment.

Set in the future, CUBIX takes place in Bubble Town where robots are a part of everyday life. The animated series follows the adventures of a boy named Connor and his robot pal, CUBIX, along with a cast of both human and robot friends. They embark on numerous adventures as they attempt to repair damaged robots and ward off their evil nemesis, Dr. K. The Race 'n Robots game will take players to areas throughout Bubble Town in a heated race to see who has the fastest robot.

In the CUBIX - Robots For Everyone: Race 'n Robots game, players can participate as their favorite series character including Mozzarelix, Maximix, Dondon, Propelix, and of course CUBIX himself! For a personalized feel, gamers can upgrade their rides by purchasing "'Grav-grip" to help maneuver through curves, the "'Zero-G engine" to give racers maximum top speed and much more. During a race, players can collect Solex for an added power boost and cameras to unlock a photo gallery featuring the beloved characters in town.

Watch out for troublesome foes as they attempt to wreak havoc on the raceway: Crushers looking to turn any robot they encounter into a pancake, or Rams striving to push gamers off the track and into a spin. Anyone can tear it up in his or her choice of racing league as they cruise through several unique theme racetracks like the Construction Zone, Suburbia and downtown Bubble Town. The Race 'n Robots game will deliver nonstop excitement as players are immersed into the fast and furious ride of this

animated racing world.

The CUBIX - Robots For Everyone: Race 'n Robots game will also be available on the Game Boy Color handheld video game system and the PC within the coming weeks.

## EA Ships SSX Tricky for the PlayStation 2

Sequel to Hugely Successful SSX, SSX  
Tricky Features Insane New Tracks, Tricks,  
Characters and ''Making Of" DVD Content

Grab some warm clothes and your snowboard and prepare for an adrenaline rush as EA announced it's shipping SSX Tricky, the latest title from the EA SPORTS BIG brand, on the PlayStation2 computer entertainment system. SSX Tricky, the eagerly anticipated sequel to the top-selling original PlayStation 2 title SSX, features huge new tricks, challenging tracks, zany celebrity characters and innovative ''making of" DVD content.

''The success of SSX made us go back to the studio and think of ways we could go bigger and better with SSX Tricky," said EA Canada Studio Vice President Steven Rechtschaffner. ''We focused on expanding the tricks, tracks and characters. We think that fans of the original SSX as well as newcomers will really be excited about the changes and depth we've added to SSX Tricky."

One of the innovative new features to SSX Tricky is its release on DVD media. DVD allows for extra game content on the disc including two new tracks, alterations to original tracks and the ''making of" content similar to what is found on a movie DVD. The ''making of" section includes exclusive behind the scenes video featurettes covering subject matter from ''track creation" to ''celebrity voices," giving gamers a peek into the hard work and creativity that goes into creating a hit title.

SSX Tricky is aptly named as it features incredible big air tricks including the all-new Uber Tricks. Uber Tricks are maneuvers taken from the world of motocross, BMX, skateboarding and even break dancing to create player specific trick rewards. Uber Tricks range from the basic, like taking a foot out of the binding, to the unbelievable, doing a break dancing backspin on a snowboard.

In addition to new tricks, SSX Tricky features two new tracks and ten tracks total. The two new tracks ''Garibaldi" and ''Alaska" are both white-knuckle experiences from the get go and the original eight tracks received a face-lift with redesigns and updates.

Bringing the riders to life is another key ingredient in SSX Tricky. Featuring 12 characters total, (six returning and six newcomers) characters in SSX Tricky bring their own attitude and riding style to the table. Characters are brought to life by voice-over and character development work by Hollywood celebrities. Lucy Liu (Charlie's Angels), Oliver Platt (West Wing), David Arquette (Scream) and Macy Gray are just a few who contributed their vocal personalities to SSX Tricky. In addition, their real-life counterparts inspired the personalities and looks of the celebrity-voiced characters. Voice-overs are incorporated into characters pre-race, in-race and post-race dialogue, while expanded facial animation and background information rounds out each character.

SSX Tricky features totally revamped ``trick" versions of the courses called Showoff courses. Here gamers race against the clock while performing huge tricks in an effort to win gold medals for total trick points. Additionally, improved rider artificial intelligence makes racers more competitive, while improved rider physics allows players more ``in-air" and ``on snow" control.

Music plays a huge role in SSX Tricky. New songs and exclusive mixes from the cutting edge world of electronic breaks and beats comprise the techno soundtrack cut by such turntable all-stars as Mix Master Mike of the Beastie Boys, Aphrodite, BT, The Plump DJ's and others. Nettwerk Records will be releasing a soundtrack CD of the music in SSX Tricky. Also, a cool in-game soundtrack delivers an interactive and intelligent companion to gameplay, while music and sound effects, incorporating Dolby(TM) Digital 5.1 and DTS surround sound audio, are woven into the game to create more emotional moments, before, during and after they've occurred.

SSX Tricky is rated ``E" (Everyone) by the ESRB. SSX Tricky is analog controller compatible and supports one or two players. SSX Tricky will also be available this winter on the Xbox video game system from Microsoft and the Nintendo GameCube.

Activision Links Up With Anne Robinson to  
Ship the Highly Anticipated Game - The  
Weakest Link

Are you The Weakest Link? Now, consumers across North America can find out with the release of Activision, Inc.'s new video game The Weakest Link(TM) for the PlayStation game console and PC. Based on the popular television game show, The Weakest Link will appeal to the entire family -- challenging the trivia knowledge and endurance of both young gamers and adults alike. The game lets players confront the biting commentary and razor sharp wit of Anne Robinson as they face a battery of questions where only the strongest survive. Rated ``E" (``Everyone" -- content suitable for person ages 6 and older) by the ESRB, The Weakest Link is currently available at retail stores for a suggested retail price of \$29.99 for the PlayStation game console and \$19.99 for the PC.

Featuring the likeness and voice of popular game show host Anne Robinson, The Weakest Link challenges players to battle through more than 100,000 questions, using a unique combination of survival and teamwork gameplay. Choosing from one of 24 different computer-generated contestants, players feel the wrath of Anne as they attempt to survive six rounds of rapid-fire questions, putting their trivia skills to the ultimate test and avoiding the humiliation of being voted out of the game.

As in the television show, players must use both strategy and judgement to determine the most appropriate time to bank the team's money. At the end of each round, one player is voted off the team until only the winner remains. In addition to playing against the computer, players can also challenge up to six other friends or family members to find out which of them is The Weakest Link.

``Anne's infamous catchphrase is set to reverberate throughout the nation's households this holiday season as friends and families gather together to play The Weakest Link video game," states Larry Goldberg, executive vice

president of Activision Worldwide Studios. "Up to seven players can find out which of their friends and family members will take the Walk of Shame."

In addition to offering the standard gameplay mode, The Weakest Link also features two additional modes -- Championship Mode and Junior Mode. In Championship Mode the risk and rewards are even greater as players face tougher questions and a chance to win up to one million dollars. Junior Mode offers more accessible questions for younger family members.

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->A-ONE Gaming Online      -      Online Users Growl & Purr!
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## Updated Cincinnati Classic Schedule

November 4, 2001

The organizers of CinciClassic, the acclaimed Midwest celebration of the past, present, and future of video games, are pleased to announce the updated schedule for the event. CinciClassic offers videogaming enthusiasts the ability to play, buy, sell, trade, and share the merits of their hobby.

The event, still FREE to the general public, occurs the weekend of November 9, 2001 in Cincinnati Ohio, at the Forest Fair Mall. At CinciClassic, many rare items will be available for examination and play. Tournaments will be played on games that will be secret until the event, as to even the playing field.

Please see us on the web at <http://www.cinciclassic.com> for updates and information!

## Schedule of Events

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Friday, November 9

6:00 p.m. - 11:00 p.m. Open gameplay, buy/sell/trade

Saturday, November 10

9:00 a.m. - 11:00 p.m.	Open gameplay, buy/sell/trade
9:00 a.m. - 2:00 p.m.	Registration for Head to Head and Team tournaments
9:00 a.m. - 6:45 p.m.	Trivia Contest (fill out, hand in)
9:00 a.m. - 6:45 p.m.	High Score Tournament (game TBA)
2:00 p.m. - 4:00 p.m.	Head to Head Tournament (game TBA)
4:00 p.m. - 5:30 p.m.	Auction
5:30 p.m. - 7:00 p.m.	Break in formal activities dinner
7:00 p.m.	Winners announced for Trivia, High Score
7:00 p.m. - 9:00 p.m.	Team Tournament (game TBA, partners by random draw)

Sunday, November 11

12 Noon                      Pack up, clean up, vacate

Items and activities of special interest

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Rare and unreleased items for over 30 different game consoles  
Battlesphere (Jaguar)  
Cybervirus (Lynx)  
Vectrex 3D goggles  
AdventureVision  
Networked gameplay for Dreamcast (Ferrari F355, Virtual On)  
MAME cabinet  
Pinball machines  
And much, much more!

#### Former Sony Executive Joins Eleven Engineering

Industry Veteran Brings Wealth Of  
Knowledge And Experience To Maker Of  
Nanocell Platforms And Semiconductors

Eleven Engineering, a leading developer and vendor of high-performance short-haul wireless platforms and integrated circuits, today announced the appointment of Don Thomas as Vice President, Client Relations.

Mr. Thomas, former 3rd Party Peripherals Licensing Manager for Sony Computer Entertainment of America and former Peripherals Licensing and Promotion Director for VM Labs, has extensive experience within the video game peripherals sector. Mr. Thomas will help to strengthen Eleven's position as a leader in core technology for wireless video game control.

"Eleven Engineering will benefit from Mr. Thomas' vast knowledge of the market as well as his numerous relationships within the video game industry," said John Sobota, CEO of Eleven Engineering. "His days with Atari and management experience at Sony have given Don a rare understanding of the video game market. His background and reputation in the industry make him an excellent choice to grow and foster relationships with our clients."

As Director of Customer Service Marketing at Atari, Mr. Thomas gained a detailed understanding of marketing and technology in the video game industry. During his tenure with Sony Computer Entertainment America and VM Labs, Mr. Thomas pioneered and developed licensing programs and built relationships with numerous third-party game peripheral developers.

"This level of knowledge is hard to come by in the video game industry," said Sobota. "Mr. Thomas will play a critical promoting the XISPIKE ("SPIKE") standard for wireless video game control. His unique ability to anticipate client needs will be a real strategic plus."

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A-ONE's Headline News  
The Latest in Computer Technology News  
Compiled by: Dana P. Jacobson

U.S.-Microsoft Settlement Under Fire

The proposed agreement that would bring the antitrust trial between the U.S. Department of Justice and Microsoft to an end continues to come under fire from opponents.

With another deadline looming, at least one state attorney general said his state would not accept the settlement without major changes, and rivals continue to cry foul, one threatening a civil lawsuit.

The 18 states involved in the case have reportedly agreed to ask for changes on at least a dozen points, according to attorneys involved in the process.

Microsoft has launched an e-mail campaign in an attempt to sway California Attorney General Bill Lockyer, a source involved in the case told NewsFactor Network. California is one of the few states with the resources to continue the legal battle against Microsoft without the support of the DOJ, and Lockyer is seen as the key figure in the states' ultimate decision on whether to accept or oppose the settlement offer.

Massachusetts Attorney General Thomas F. Reilly said his state would not sign on to the agreement without major changes, and that he did not expect those changes to materialize before Tuesday -- the deadline for the states to accept or reject the offer.

"There's no question in my mind that Microsoft will use this agreement to crush competition, and they would have the imprimatur of the U.S. government to do it," Reilly told reporters.

Still, it appears increasingly likely that Microsoft will escape its three-year legal battle without suffering major penalties.

The deal is being endorsed by two key players. Microsoft chairman Bill Gates said it is "the right thing to do for our customers, the technology industry and the economy." U.S. Attorney General John Ashcroft said the settlement restores competition to the software market.

Opponents of the agreement, which ultimately must be approved by a federal judge, feel it has too many exceptions and loopholes that render it unenforceable. States are also bothered by the fact that senior non-political staff at the DOJ have not given the settlement offer their blessing.

It remains unclear how many of the states will abstain from the agreement, or whether they will act together or individually. Any or all of the states are free to pursue the case on their own, but some states are said to be leaning toward signing the settlement offer.

Several analysts felt the agreement was weakened because of the rushed circumstances under which it was reached, saying that it levies no penalties against Microsoft, which was found guilty of violating antitrust

law in a decision upheld by an appeals court. Microsoft has never admitted breaking the law.

Some provisions in the proposed settlement give Microsoft up to a year to comply with certain terms, concerning some that the company could redesign software so that it falls outside the province of the agreement.

Microsoft has agreed to give more control to personal computer manufacturers regarding what software they load into their machines, and give them more leeway on how applications are loaded and displayed by Windows, Microsoft's operating system. The company would also let rival software companies see some parts of the code behind the Windows operating system.

However, the agreement does not limit Microsoft's option to add new features to Windows operating systems. Rivals and consumer groups argue that this is the crux of the case, because it enables Microsoft to leverage its operating system monopoly to block competition in other nascent markets.

Long-time Microsoft rival Sun Microsystems is particularly upset about what it views as a weak agreement.

According to Sun lawyer Mike Morris, the proposed agreement is riddled with loopholes, and would be ineffectual in restraining Microsoft's future behavior. Morris said a civil lawsuit would be considered by the company.

The same U.S. Court of Appeals that ruled Microsoft had engaged in anti-competitive behavior also said the company had violated antitrust laws when it tried to suppress Sun's Java programming language.

#### More States Join Microsoft Settlement

Nine of the 18 states in the Microsoft Corp. antitrust case agreed to settle with the company on Tuesday, leaving the remaining states to press ahead with court hearings on sanctions against the software giant.

A lawyer representing the state attorneys general told a federal judge the states ended up evenly split on whether to go along with the settlement deal, with three of six previously undecided states signing on after a flurry of last-minute negotiations.

Court-appointed mediator Eric Green also told U.S. District Court Judge Colleen Kollar-Kotelly that "several" other unnamed states could eventually sign on to the settlement after studying it further.

Unanimous agreement on a settlement could have ended the three-year-old fight in which the courts found Microsoft had illegally maintained its monopoly in personal computer operating systems.

Instead, the Kollar-Kotelly will hold hearings early next year on whether the settlement deal is in the public interest, while the opposing states prepare for further proceedings in the case to determine what additional sanctions -- if any -- should be imposed on Microsoft.

Tuesday's split decision came after days of non-stop talks among the states on whether to sign a pact reached last week between Microsoft and the U.S.

Justice Department.

That settlement is designed to give computer makers freedom to feature other software and requires Microsoft to share parts of the inner workings of its Windows computer operating system with other software makers.

At a morning court hearing, Kollar-Kotelly extended the settlement deadline by a few hours after the states told her they were divided in thirds, with six ready to settle, six opposed the Justice Department deal, and six undecided.

Ahead of a second hearing before the judge, New York Attorney General Eliot Spitzer announced on the courthouse steps that Louisiana, Wisconsin and Maryland had agreed to join his state, Ohio, Michigan, Illinois, North Carolina, and Kentucky in backing the settlement.

The states opposed to the settlement in its current form include California, Massachusetts, Connecticut and Iowa.

'I believe that this agreement reflects very good progress, but maybe not good enough to protect consumers ...," Connecticut Attorney General Richard Blumenthal told reporters outside the court.

But the failure to get all the states on board means Microsoft will have to continue its long legal battle in court into next year.

Kollar-Kotelly had earlier asked Microsoft to agree to further settlement negotiations during preparation for further hearings, but was rebuffed by the company.

'The issues in this case have been beaten to death," attorney John Warden said on behalf of the company. 'Microsoft believes the settlement process has come to an end, or will come to an end (later today)."

The states have been some of Microsoft's most aggressive critics and were blamed for the failure of settlement talks last year before federal appeals court judge Richard Posner.

Specifically, some of the states are still worried that the agreement does not do enough to stop Microsoft from retaliating against personal computer makers that promote non-Microsoft software and that it allows Microsoft to broadly define its Windows operating system so that it includes too many add-on software features, Iowa Attorney General Tom Miller said after the afternoon hearing.

Some of the attorneys general also remain concerned about the specifics of how the technical committee would enforce the agreement, Miller said.

#### Judge to Hear From 9 States on Microsoft

A federal district judge said Wednesday that she would hold a pair of separate but related proceedings early next year to consider the proposed antitrust settlement between the Bush administration and Microsoft and to hear arguments by a group of states that officially broke ranks with the federal government in search of tougher penalties.

The order by Judge Colleen Kollar-Kotelly of United States District Court



in Washington followed the announcement this afternoon that nine states involved in the case, led by New York, Illinois, Michigan and Ohio, had decided to join the Bush administration's settlement after it was slightly revised in negotiations that concluded at about 3:30 this morning.

The other states that agreed to the settlement are Kentucky, Louisiana, Maryland, North Carolina and Wisconsin. These nine supporting states will recoup their legal costs from Microsoft.

Nine other states and the District of Columbia declined to sign the agreement. Officials from some of the states were still considering whether to join with the Justice Department. But lawyers involved in the case said they expected that a core group would challenge the proposed consent decree for failing to address the concerns of two federal courts that found Microsoft had abused its monopoly position in the software market. The dissenting states say the proposed settlement has too many loopholes and does not do enough to promote competition in the industry.

The states that refused to sign included many that are home to Microsoft's biggest rivals and others in the technology industry that have complained about Microsoft's aggressive market tactics, including California, Massachusetts and Utah. The others that did not sign were Connecticut, Florida, Iowa, Kansas, Minnesota and West Virginia.

The decision by some of the states to dissent complicates, and could ultimately delay, the implementation of the proposed settlement decree. If those states prevail, however, it could lead to more restrictions imposed on Microsoft.

At a brief hearing this afternoon, Judge Kollar-Kotelly denied a request by Microsoft that she stop the dissenting states' proceedings until after she issued her ruling on the proposed consent decree. Microsoft's legal maneuver was an attempt to diminish the legal prospects of the opposing states. Those states have said that central elements of the agreement greater disclosure of software code, nondiscrimination against rivals and computer makers, and limits on the ability of Microsoft to leverage its monopoly in the server markets have overly broad exceptions that would make the proposed settlement largely ineffective.

Under the scheduling order issued today, Judge Kollar-Kotelly will be receiving a competitive analysis of the proposed settlement and a wide range of comments about the deal from supporters and critics over the next three months. All the evidence in that proceeding is expected to be submitted by the end of February, which is shortly before the judge will begin hearings on the remedies proposed by those states that have dissented. The states not backing the agreement have been ordered to file their list of proposed remedies next month.

Both the Justice Department and Microsoft applauded the states that decided to join in the agreement.

"The fact that so many states have joined the federal government in supporting this agreement is a very significant positive step toward resolving these issues once and for all," said Bill Gates, the co-founder and chairman of Microsoft. "While this decree will place significant restrictions on our business, we believe this is a fair and reasonable settlement that will be good for consumers, good for the high-tech industry and good for the economy."

Charles A. James, the assistant attorney general in charge of the

antitrust division, said that "the Justice Department and the states that have settled have done the heavy lifting here."

"Our settlement is now the base line," Mr. James said. "Consumers in Massachusetts and California will get the benefit of this settlement. If they can get more, that's for them to determine. At the end of the day, the resolution set before the court today will be the resolution of the Microsoft antitrust litigation."

Mr. James dismissed criticism by some of Microsoft's competitors that the consent decree was the product of a back-room deal involving heavy political pressure from Microsoft and other administration officials outside of the Justice Department.

"There was no political influence whatsoever involved in this process," he said in an interview this afternoon. "This was an antitrust decision. We did a lot of good things. Even the states which have not signed on have not said we did anything improper. There is no intrigue here."

Other officials said the consent decree was the product of a more narrow reading by the Bush administration than by Microsoft's critics as the parties considered last June's decision by the United States Court of Appeals here. That opinion, which overturned a lower court's order to break up Microsoft, found a variety of antitrust violations and ordered the case returned to the district court to consider appropriate remedy.

The eight late-night changes to the proposed consent decree would broaden the disclosures Microsoft must make to rivals about the operation of its powerful software for data-serving machines. By adding the phrase "or the Internet" to one section, lawyers for the states explicitly required Microsoft to reveal technical details about servers other than those used only for office networks. Experts said that change could expand the settlement to cover Microsoft's future business strategies of providing Internet services.

Much of the criticism of the Justice Department settlement and the efforts of some states to tighten the language has been prompted by skepticism that Microsoft will voluntarily live up to its terms. Indeed, the current antitrust suit against Microsoft grew out of allegations that the company had violated a consent decree it signed with the Justice Department in 1994.

For that reason, some experts believe that the sanctions against Microsoft, regardless of their precise final form, will prove highly regulatory, insuring that the three-person technical committee overseeing compliance will be busy.

"Does anybody really trust Microsoft to comply?" said David Farber, a computer science professor at the University of Pennsylvania, who testified in the trial as an expert witness on the government's behalf. "There are going to be endless marches to that three-person technical committee."

#### Judge Sets Microsoft Case Schedule

The judge in the Microsoft Corp. antitrust trial on Friday formally set the case to proceed early next year for the nine states that rejected a

settlement with the software giant and the Justice Department.

U.S. District Judge Colleen Kollar-Kotelly set the next courtroom hearing for March 4 in that stage of the case. Those states must decide what sanctions the judge should impose on Microsoft, which earlier was found to have violated federal competition laws.

Kollar-Kotelly's scheduling order was widely expected and contained no surprises. She outlined her intent during courtroom hearings last week.

For the Justice Department and the nine other states that agreed to the settlement announced last week, the judge ordered government lawyers to give her a copy of the deal with Microsoft before Thursday, along with a study analyzing the impact of the agreement on the technology industry.

The agreement requires the company to provide technical details to help rivals make products compatible with its monopoly Windows operating system and to give an oversight panel full access to its books and plans for five years.

It also bans exclusive contracts with computer makers that put rival software vendors at a disadvantage.

Terms of the settlement are highly controversial, with many legal and industry experts - including some of Microsoft's competitors - charging that the sanctions are inadequate and won't level the playing field against the entrenched monopolist.

The judge said the government must publish summaries of the settlement and its competitive analysis in the The Washington Post, The New York Times and the San Jose Mercury News at least seven times during the last half of November.

Copies of the settlement and the analysis also will be published in the Federal Register, and citizens will have 60 days to send the Justice Department written comments about the wisdom of the agreement.

#### MS-DOJ Pact Disappoints

By nearly every account, except that of Microsoft and the Department of Justice, the proposed settlement of their antitrust case falls far short of what the company's competitors and critics were hoping for when the landmark action began in 1998.

If approved, few expect the deal to dramatically alter the competitive landscape for computer software, or give business or home users any substantial new choices. The 18 state attorneys general who originally joined with the DOJ to bring the case were still digesting the complex agreement on Friday, Nov. 2, with plans to report back to the court Tuesday, Nov. 6, on whether they will sign on or continue the action on their own.

Legal experts, meanwhile, were astonished at the DOJ's willingness to give up hard-won legal ground. Robert Lande, a law professor and antitrust expert at the University of Baltimore, described the deal as a "capitulation."

"It looks like the government is giving them a slap on the wrist. I find that sad. It won't achieve any of the goals of the proceeding," Lande said.

An appeals court - upholding portions of a trial court ruling that found Microsoft guilty of monopolistic behavior - ruled in June that any actions taken against Microsoft must restore competition to the affected market, must deprive Microsoft of the "fruits of its illegal conduct" and must prevent Microsoft from engaging in similar tactics in the future, Lande said. On all counts, he said, the settlement fails.

Hillard Sterling, a generally pro-Microsoft attorney, said that under the terms of the proposed accord, the company would remain an "entrenched and dominant monopolist."

The end user probably won't see a slew of new products anytime soon, because "there's no incentive for [PC makers] to remove Microsoft products that are in demand," Sterling said.

Major PC makers - including Dell Computer, Gateway, Hewlett-Packard and IBM - declined to comment on the proposed settlement, as their executives digested the latest development. A Compaq Computer spokesman said the company didn't see that much would change as a result of the proposed settlement.

"Basically, we don't feel there's a big difference between where we're standing today and where we were last week," said Roger Frizzell, spokesman for Compaq.

But Scott McNealy, chairman and CEO of Sun Microsystems, one of Microsoft's biggest foes, said, "Today's agreement signals a retreat by the federal government and a defeat for consumers."

"The goal of fashioning antitrust remedies is simple: to ensure that the market is free from anticompetitive conduct," McNealy said. "Today's agreement - which is more narrow and less punitive than the settlement proposal rejected by the Department of Justice in March 2000 - simply reinforces the status quo, and will do nothing to restore competition and innovation in the marketplace."

Paul Cappuccio, general counsel of AOL Time Warner, gave the deal a thumbs down. "[The] proposed consent decree does too little to promote competition and protect consumers, and can too easily be evaded by a determined monopolist like Microsoft."

Microsoft and the DOJ obviously had a different take on the deal.

"We are completely satisfied with the result," said Charles James, assistant attorney general of the DOJ's Antitrust Division. He said the proposed settlement has "significant benefits for consumers, and would create significant change in the way Microsoft will deal with companies in a competitive industry."

"With the success of our products, there came a set of competition concerns," Microsoft's CEO Steve Ballmer said. "The key was for us to work with the government on a settlement that would address those competition concerns and address them fully."

That's a turnaround for Microsoft, which for nearly four years has vehemently denied the government's charges of monopolistic behavior.

However, it seemed clear from the proposed decree that the government finally acquiesced to Microsoft's assertion that middleware code is inextricably bound into the OS - a claim that many critics have disputed.

"We think the commingling issue is fully addressed," James said. "The fact that [Microsoft] code is there is not going to keep me awake at night."

During the trial, the government fought hard to prove that Microsoft could easily separate its Internet Explorer browser from the Windows OS and had tied them together to kill Netscape Communications' Navigator browser. An appeals court largely ruled against this argument.

Under the five-year agreement, Microsoft would be allowed to keep the code of applications such as its streaming media player and instant messaging in its OS. But the company would have to share its closely held Application Programming Interfaces with developers of competing products. It would also have to share the APIs for its servers.

Brian Behlendorf, lead developer of the Apache Web Server and chief technology officer of CollabNet, a collaborative software development tools firm, said publicizing the server APIs "keeps them a little bit more honest, but I don't think it buys that much."

Microsoft already airs some APIs such as its Mail API, so a desktop can exchange information with a Microsoft Exchange server. But Behlendorf said Microsoft has a history of publishing some APIs and keeping others hidden to give its own software a performance advantage. A cottage industry grew up trying to air the hidden APIs for Microsoft's Excel and Windows.

The proposed settlement would also forbid Microsoft from retaliating against computer makers that add competing middleware to their PCs, and would require the company to license its OS to the top 20 PC manufacturers under uniform terms.

The pact would be overseen by a panel of three full-time monitors. This "Technical Committee" would work directly for the DOJ but be paid by Microsoft. Each monitor would be an "expert in software design and programming." The panel would have full access to Microsoft's source code and be the primary conduit for complaints from third parties.

One executive, who requested anonymity, scoffed at the role of the technical panel: "They are the canary in the coal mine. Their sole function is to chirp if something goes wrong." After that, the DOJ must investigate and build a case for enforcement.

Such provisions have legal experts and competitors doubting that Microsoft would ever follow such an agreement in good faith. "Microsoft is a truck with engines running - ready to blow through every loophole in the decree," Sterling said.

#### Hewlett Family Opposes Compaq Merger

Hewlett-Packard Co.'s plan to take over Compaq Computer Corp. and create a technology and services powerhouse was dealt a severe blow on Tuesday when the founding Hewlett family said they would vote against the deal.

Hewlett-Packard shares jumped and Compaq shares fell on expectations of the death of the merger, which has been panned by Wall Street and questioned by investors.

Both companies said their boards of directors remained committed to the \$21-billion acquisition, which would create a computer, printer and services powerhouse to rival technology industry leader International Business Machines Corp.

The unraveling of the deal would also threaten the future of Hewlett-Packard Chief Executive Carly Fiorina, who has staked her reputation and legacy on the deal and told Reuters last month that she expected "'predictable consequences" if it failed.

Stockholders said that success appeared less likely now that the Hewlett family, which owns more than 5 percent of Hewlett-Packard's stock, said it would vote against the merger.

"We think it opens the door for other large shareholders that have questioned this transaction to come forward," said David Katz, chief investment officer of Matrix Asset Advisors, which had asked the companies to abandon the merger.

Kevin McCloskey, manager of the \$3.5 billion Federated American Leaders Fund, said chances were falling. "I would say it is definitely less than 50-50," he said. "This may be the first step in the deal not getting done."

The deal's "'spread" -- or the difference between where Compaq's shares are trading and where the deal values them -- ballooned to more than 47 percent after the family's announcement. Deals viewed as safe bets to close will typically trade in the 8 percent to 10 percent range.

Walter Hewlett, the son of HP co-founder William Hewlett, who announced he and family members would oppose management, has been selling stock heavily.

Walter Hewlett had reported at the end of last year having sold 229 million shares, leaving him roughly 150 million, while on Tuesday he said he and like-minded family members owned more than 100 million shares, suggesting a further fall in the family's stake, according to Thomson Financial.

Bear Stearns analyst Andrew Neff said he believed management would still push and that chances were it would succeed, despite the blow.

Shares of Hewlett-Packard, which were trading only a few cents higher before the Hewlett family's announcement, jumped nearly 17 percent to \$19.71 after it was released. Compaq shares fell 5.45 percent to \$8.50.

The value of the proposed deal had recovered to \$21.2 billion as of Tuesday, down from \$24.9 billion when it was first announced but up sharply in line with the gains in Hewlett shares and the broad market since late September.

Walter Hewlett outlined concerns other merger opponents have raised, focusing on the merged company's huge exposure to low-profit margin personal computers, dilution of HP's lucrative printing franchise, and Compaq's emphasis on maintenance services rather than running clients operations.

''I am absolutely certain that Compaq is not the right partner for Hewlett-Packard," Walter Hewlett told Reuters. "Given the lack of stockholder benefits, I believe the extensive integration risks associated with this transaction are not worth taking."

Hewlett said to this point he has not talked to any other shareholders about opposing the deal, but declined to comment on whether he planned to do so in the coming weeks.

Hewlett also declined to comment on the future of Fiorina, who had previously tried to buy consultant PricewaterhouseCoopers.

''Our best guess would be if this deal were to come undone, the Hewlett board would have to look for a new leader and we think that would be very well received by Wall Street," Matrix's Katz said.

''I think the company's success will be my legacy," Fiorina herself told Reuters last month. ''The company's failure will be my failure, with all the predictable consequences of that."

#### New Domain Name .Biz Goes Live

The Internet's newest global top-level domain name, .biz, went live on Wednesday, providing businesses with an alternative to the congested .com space.

Sterling, Va.-based NeuLevel Inc. said it will accept .biz registrations on a first-come, first-serve basis.

The latest address suffix joins the original domains .com, .org, and .net as the global cyberspace administrators grow the Internet and add competition. Last year, the Internet Corporation for Assigned Names and Numbers, or ICANN, selected seven new generic top-level domain names -- .biz, .info, .name, .pro, .museum, .aero, and .coop to be introduced.

The general purpose domain, .info, went live last month. .Biz is open solely to businesses. The two newest domains are the first since the original batch was introduced in the 1980s.

The .biz technology platform enables businesses to communicate across different platforms and devices, be easily found by customers, and provide higher levels of security, NeuLevel said.

NeuLevel is a joint venture between Washington, D.C.-based NeuStar and Melbourne, Australia-based Melbourne IT, Ltd. Companies can register for a .biz address through [www.neulevel.biz](http://www.neulevel.biz).

#### Senators Back Renewed Net Tax Ban

A letter sent by six senators urging passage of a two-year moratorium on new Internet taxes has prompted complaints from some state and local government organizations.

On Monday, the senators sent a "Dear Colleague" letter asking the rest of

the Senate to support a proposal that would simply extend a moratorium on new Internet taxes for two more years.

In the letter, the senators argued against the support of a competing bill sponsored by Sen. Mike Enzi, R-Wyo., which would establish a structure by which states could set up a streamlined sales tax system.

The letter was signed by John McCain, R-Ariz.; Ron Wyden, D-Ore.; Patrick Leahy, D-Vt.; Barbara Boxer, D-Calif.; Conrad Burns, R-Mont.; and George Allen, R-Va.

"Several states and local government organizations are opposed to a 'Congress directed' road map that they see as an unreasonable intrusion in their own processes," the letter says. "Furthermore, while we recognize that a two-year moratorium is the best we can do this year, it is important to note that there is wide consensus that Internet access should never be taxed and that two years, even by the states' calculation, may not be enough time to resolve the plethora of conflicts facing them regarding tax simplification."

That brought a rebuttal from the National Governors Association, the National Association of Counties, the Council of State Governments and the International City/County Management Association.

In a letter to Senate leaders Thomas Daschle, D-S.D., and Trent Lott, R-Miss., those groups voiced their support for the Enzi bill, saying it would "create a level playing field so that remote and Main Street sellers receive equal treatment."

The Internet sales tax issue has become something of a mess in Congress. In 1998, Congress passed legislation imposing a temporary moratorium on any new taxes that applied solely to Internet sales, in an effort to boost the new market and buy some time to work out the legal issues involved. (Under a Supreme Court ruling, states are currently forbidden from requiring out-of-state businesses to collect sales taxes, but Congress does have the power to authorize such levies.)

The House recently approved a measure that would have extended the ban another two years, but the Senate was unable to come to a compromise before the bill expired last month.

#### Senators Push Home-PC Tax Credit

A proposed economic stimulus package from the federal government is the perfect vessel to hold a tax credit for family computers, as far as a Virginia senator is concerned.

Seven months have passed since Sen. George Allen, R-Va., introduced a bill that would give families a tax credit of up to \$2,000 for purchases of computers and related products. Now Allen and the measure's only co-sponsor from the Democratic Party, Barbara Boxer of California, want President George W. Bush to include the tax credit in the economic stimulus plan put forth by the administration in the wake of September's terrorist attacks.

"A short-term version of the Education Opportunity Tax Credit is exactly the type of bipartisan, broad-based, consumer-oriented policy needed to



provide our economy with immediate stimulative and positive benefits, without increasing budget deficits in later years," read a statement from Allen and Boxer.

The act originally proposed by Allen would give a tax credit to cover the cost of computers, along with ancillary equipment and services, to any family with students in elementary or secondary schools. Allen's bill caps the credit at \$1,000 per child and \$2,000 per family.

More than 35 million families would be eligible for the tax credit, Allen and Boxer said. Last year's U.S. Census counted almost 34.6 million families with at least one child under the age of 18.

At the maximum of \$2,000 per family, the bill could theoretically pour roughly \$70 billion into computer companies and related businesses. The actual figure would probably be much smaller, however, since not every family will buy technology products, and not every family has more than one child. Census figures pegged the average family size at 3.14.

Allen's bill currently isn't included in any of the major stimulus packages being considered by Congress.

Bush has taken no position on Allen's bill, a White House spokesman said Wednesday. The president in the past has said that before adding more items to stimulus plans, Congress should figure out how to spend the \$40 billion already authorized for emergency spending following the terrorist assaults.

Besides Allen and Boxer, the bill is co-sponsored by five senators, all Republicans.

### Government Brandishes New Powers in Cyber Security

In Washington, the change in the national mood since September 11 is plain to see.

The famous marble monuments stand ringed by makeshift concrete barricades. White police vans sit in parking lots formerly filled with tour buses. Guard dogs prowl outside the White House, while up on Capitol Hill moon-suited investigators sweep for traces of anthrax.

Security suddenly tops the high-tech agenda, as well, crowding out debates about Internet sales taxes, digital piracy, consumer privacy, and other previously hot topics.

President Bush two weeks ago signed a bill giving the FBI sweeping new investigative powers, making it easier for the government to track Internet users' e-mail and Web-surfing habits.

Other proposals before Congress would encourage the use of "biometric" devices that scan faces and retinas to assess identity and impose limits on open-government laws to encourage companies to share information about cyberattacks.

But most cybersecurity efforts would not have so noticeable an impact on American life. Yet, initiatives to boost funding, raise awareness and lower bureaucratic barriers are more important than ever after September 11,

experts say.

Many see a parallel to the Y2K bug, which motivated businesses and governments to ensure their computer systems would not be wiped out at midnight, January 1, 2000.

Utah Sen. Robert Bennett wants the Securities and Exchange Commission to require public companies to disclose the extent to which they are prepared for a cyberattack in their quarterly reports, just as they were required to do with Y2K efforts.

The Nimda computer worm that emerged a week after the September 11 attacks, knocking out the computer systems of nearby Fairfax County in Northern Virginia, highlighted the vulnerability many government systems face from cyberattacks.

The Bush Administration recently appointed a panel to beef up cybersecurity across 43 government agencies and in the private sector.

Panel chair Richard Clarke, a seasoned security official, made waves earlier this month when he called for a secure, segregated government network for top-secret communications that would be completely separated from the Internet.

The proposal was met with skepticism in many quarters.

"It simply won't work," said a report issued by Forrester Research, a Cambridge, Massachusetts, research firm. "A massive, completely partitioned government network is a pipe dream."

Report author Frank Prince and others note that the network, which would probably carry a hefty price tag, would still be vulnerable to attacks because it would be used by people who may not follow strict security procedures.

Users may try to link to the Internet as well, said James Andrew Lewis, a senior fellow at the Center for Strategic and International Studies.

"The Internet is so attractive, people would try to jury-rig a connection," he said.

Another approach aims at making sensitive information less vulnerable by sharing intelligence regarding security threats. The FBI's National Infrastructure Protection Center encourages government agencies and businesses to report cyberattacks and issues periodic warnings about computer viruses and other threats.

Formed in 1998, the NIPC played a key role in minimizing the damage from the "Code Red" Internet worm that targeted government networks this summer.

But many private companies are leery of telling the government about their computer vulnerabilities, fearing that open-government laws could expose trade secrets to the public.

Bills introduced in both houses of Congress would carve out exemptions in the Freedom of Information Act so computer-security information would be protected without raising antitrust concerns.

Civil-liberties advocates point out that these exemptions already exist in

the current law as it is written.

''There is a concern about how far-reaching this blanket exemption should be," said David Sobel, general counsel at the Electronic Privacy Information Center.

But the head of a high-tech industry trade group said most executives he talks with say they do not share critical information because of these concerns.

''The point is, companies do not believe that" their information will be safe with the government, said Harris Miller, president of Information Technology Association of America.

Miller believes the government should spend \$10 billion to fix its own vulnerabilities, provide matching grants to state and local governments, provide loans to small businesses and hand out grants for long-term research.

Bennett has suggested that government forgive the student loans of college graduates who chose to work in cybersecurity.

Former NIPC head Michael Vatis believes the government should fund a ''digital Manhattan Project" to encourage long-term research into cyberdefenses.

''Some of the research needs to be aimed at mid- to long-term needs, and perhaps at more speculative research that isn't going to yield a profit," said Vatis, who now serves as director of the Institute for Security Technology Studies at Dartmouth University.

#### French Say U.S. Yahoo Ruling Poses Extremism Risk

The United States will turn into a haven for extremists and racists using the Internet to spread their beliefs if a U.S. court ruling exempting Yahoo! Inc. from foreign jurisdiction is upheld, a French lawyer said on Friday.

The lawyer, Stephane Lilti, represented Jewish and human rights groups who won a landmark case a year ago forcing the U.S. Internet portal to block access from France to online sales of Nazi memorabilia.

He said on Friday that an appeal would be filed against a ruling on Wednesday by a U.S. federal judge who said Yahoo was not bound to comply with foreign laws governing the Internet.

The judge said U.S.-based Websites were subject only to U.S. law, a decision with broad implications for international free speech in the Internet age.

Lilti said the ruling did not overturn a French bar on its citizens' access to Yahoo auctions of Nazi wares, but that it may offer Internet portals such as Yahoo a legal loophole to avoid filtering access to its U.S.-based sites from other countries.

''If this ruling, which we will appeal against in the United States, is upheld, it will give total impunity to all those who seek technological

asylum in the United States," he told Reuters. "This would make America a haven for all types of people on the extreme right and racists...for us French it will be extremely difficult to ensure our justice system's decisions are respected because we will be dealing with someone who can take refuge in a U.S. computer."

In November 2000, French judge Jean-Jacques Gomez broke new legal ground when he ordered Yahoo to erect a "'virtual wall" around France, preventing French inhabitants' access to a U.S.-based Websites offering Nazi memorabilia for sale.

France has very strict laws barring incitement of hatred and Gomez threatened Yahoo with fines of up to \$13,000 a day unless it filtered access to the site. But his ruling did not dictate the content of the site, only access to it.

Some weeks later Yahoo banned auctions of Nazi and Ku Klux Klan artifacts from all its Websites, saying it did not want to profit from items that glorified or promoted hatred.

A spokeswoman for Yahoo France said the firm would continue to guard against those who use its services to set up sites promoting racism or violence, but that it had been important to be clear on its legal status in the United States.

"The decision that was taken was to make sure that we don't get summonses from all over the world, as it is impossible to comply with the laws of 200 countries," Nathalie Dray said.

Marc Knoble, a leading activist for the Paris-based International League against Racism and Anti-Semitism (LICRA) which took Yahoo to court in Paris, said Wednesday's U.S. ruling was disappointing but would not upset the ground made in France.

"If Yahoo never allows such items back on its sites, the matter will rest there. It is a victory that for almost a year there have no longer been objects which incite racial hatred sold via the Yahoo portal," he said.

Lilti, lawyer for the Union of French Jewish Students which joined LICRA in the original case against Yahoo, said if such items were again accessible to French residents via Yahoo, he would demand that Yahoo France cut all links to the mother firm.

For Patrick Klugman, president of the student group, the U.S. ruling had served to highlight above all the legal vacuum still surrounding the use of the Internet.

"Both the American and French judges can argue their side indefinitely, that is why we need new rules for the Internet, based on an international treaty, that applies to everyone. It's up to the lawmakers now, not the courts," Klugman said. He welcomed Thursday's adoption of a non-binding convention on cybercrime by the 43-nation Council of Europe, which is the first international treaty criminalizing activities such as fraud and child pornography on the Internet.

"This is a good start but it has to go further to recognize incitement of racial hatred as a crime too," Klugman said.

## Court Says France Can't Censor Yahoo Site

A federal judge ruled that the United States Constitution's protections of free speech trumped a French order requiring Yahoo to remove Nazi materials from its Web site.

In a decision that is being applauded by Internet companies and civil liberties groups, a federal judge ruled on Wednesday that the United States Constitution's protections of free speech trumped a French order requiring Yahoo to remove Nazi materials from its Web site.

"Although France has the sovereign right to regulate what speech is permissible in France, this court may not enforce a foreign order that violates the protections of the United States Constitution by chilling protected speech that occurs simultaneously within our borders," wrote Judge Jeremy Fogel of the Federal District Court for the Northern District of California, in San Jose.

Mary Catherine Wirth, senior corporate counsel in Yahoo's international division, said the company was very happy with the decision. "It means that content hosted at U.S.- based Web sites will receive First Amendment protections," she said, "and that is very important to us."

The dispute started more than a year and a half ago, when French groups sued Yahoo for allowing people to sell Nazi-related items in its auctions. The groups argued that because Yahoo's site could be viewed by people in France, the site was subject to French laws that largely prohibit the display and sale of Nazi insignia. In November 2000, a French judge agreed with that argument and ordered Yahoo to find a way to block French users from seeing the items or pay a fine of \$13,000 a day.

A month later, Yahoo decided to ban items like Nazi and Ku Klux Klan memorabilia from its auctions while keeping its bulletin boards relatively free of such regulation. At the same time, however, it requested that a United States court declare the French order unenforceable because of its conflict with the First Amendment. Wednesday's ruling was the company's first taste of victory in making that argument.

Ronald Katz, a California lawyer representing the French groups, said that his clients would appeal the case to the United States Court of Appeals for the Ninth Circuit. He argued that the case should not have been heard in the federal court in San Jose in the first place. "We don't think the court has jurisdiction over my clients," he said. "They have never been in San Jose, they have never even heard of San Jose." Yahoo's headquarters is near San Jose, in Sunnyvale, Calif.

Internet companies, free-speech advocates and scholars of international law have viewed the case as a major test of how the Internet's global reach can be reconciled with conflicting laws intended to be applied within national borders. Some international law experts have said that the Internet cannot be a free-for-all and that regulations can be applied fairly with the help of technology to determine where a person is when logging on to the Web.

But Internet companies have argued that location technology is far from perfect. They say that restrictive technology would unduly hinder their businesses and that it could arbitrarily block Americans from viewing information that is available to them under the First Amendment.

"This is a very good ruling for both free expression and commerce online,"

said Alan Davidson, associate director of the Center for Democracy and Technology, a civil liberties group based in Washington. "The ruling sends a very powerful message to governments around the world. Those countries who seek to reach out beyond their borders to punish Internet users simply because they publish Web sites have now been put on notice that their rulings will not be enforced in the United States."

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